

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GAN H. ENG, TAN F. LAM, KWOK C. TANG, JUN Q.
CHAN, KAM C. HO, XIAO Z. ZHANG, YAT C. CHAN,
MING HO, RONG J. CHEN, JIAN Z. LUO, LE Y. CHEN,
JIAN B. YAN, SU C. JIANG, XIU H. JIANG, XIU LIN,
TAK S. CHENG, SHU C. HUANG, MEI J. HUANG and
OY K. KWAN,

07 CV 3909 (MGC)

(*Filed Electronically*)

Plaintiffs,

NOTICE OF MOTION

-against-

THE NICE RESTAURANT, INC., BEN H. TOM, MEE
MEE TOM a.k.a. MEE MEE M. TOM a.k.a. MEE MEE
MEI, YAN SHING CHAN, CHEUNG YONG, SHING SI
SUN, SHEN PING CHU, JOHN TAM, SI KIT WU, SI
HUNG WU, CHUI BAI TAM, and JIMMY MOY a.k.a.
JIMMY MUI a.k.a. JIMMY MEI,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Local Civil Rule 56.1 Statement of Undisputed Material Facts, the Affidavit of William Tam, sworn to March 28, 2008, and the exhibits annexed thereto, the Affirmation of John F. Keating, Jr., dated March 28, 2008, and the exhibits annexed thereto, the accompanying memorandum of law, and upon all proceedings and pleadings had herein, Defendant William Tam, sued herein as Chui Bai Tam, will move this Court before the Honorable Miriam G. Cedarbaum, United States District Judge, at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, on the 24th day of April, 2008, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for

an order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting Defendant William Tam summary judgment and (2) such other and further relief as the Court deems just.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be received by the undersigned by noon of the Wednesday before the aforesaid return date, or on or before April 16, 2008, pursuant to Rule 3 of the Individual Rules of the Court.

Dated: New York, New York
March 31, 2008

KEATING & McHUGH

By /s/ John F. Keating
Peter J. McHugh (PM9877)
John F. Keating (JK5354)
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